

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>BRENT KNUDSON,</b>	)	
	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>WACHOVIA BANK, N.A., TRANS UNION,</b>	)	<b>CIVIL ACTION NO. 2:07-CV-608-WHA</b>
<b>LLC, EXPERIAN INFORMATION</b>	)	
<b>SOLUTIONS, INC., and EQUIFAX</b>	)	
<b>INFORMATION SERVICES, LLC,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

**MOTION TO STRIKE KNUDSON'S RESPONSE TO WACHOVIA'S REPLY BRIEF IN  
SUPPORT OF ITS MOTION TO DISMISS**

COMES NOW one of the Defendants, Wachovia Bank, N.A. ("Wachovia"), and hereby files this Motion to Strike plaintiff Brent Knudson's ("Plaintiff") Response to Wachovia's Reply Brief in Support of its Motion to Dismiss. In support of the Motion, Wachovia states as follows:

1. On August 24, 2007, this Court entered an Order in which it stated that the Plaintiff shall have until August 31, 2007 to file a Response to the new argument raised by Wachovia in its Reply Brief.
2. Despite the Court's Order, Plaintiff filed his Response to Wachovia's Reply Brief on September 4, 2007. Accordingly, the Plaintiff's Response was untimely filed.
3. Wachovia respectfully requests this Court strike the Plaintiff's Response as being untimely filed pursuant to this Court's Order of August 24, 2007.

Respectfully Submitted,

/s/ Janine L. Smith

Janine L. Smith (SMI243)  
Rashad L. Blossom (BLO022)

Attorneys for one of the Defendants,  
Wachovia Bank, N.A.

**OF COUNSEL:**

**BURR & FORMAN LLP**

3400 Wachovia Tower  
420 North 20th Street  
Birmingham, AL 35203  
Telephone: (205) 251-3000  
Facsimile: (205) 458-5100

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served on the following by Notice of Electronic Filing, or, if the party does not participate in Notice of Electronic Filing, by U.S. First Class Mail, hand delivery, fax or email on this the 4th day of September, 2007.

K. Anderson Nelms  
The Law Offices of Jay Lewis, LLC  
P. O. Box 5059  
Montgomery, AL 36103-5059  
Phone: (334) 263-7733

/s/ Janine L. Smith  
OF COUNSEL